

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2024 JUL 15 PM 3:04

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON T. LUNEKE,

Defendant.

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INDICTMENT  
18 U.S.C. § 1344  
18 U.S.C. § 2

The Grand Jury charges that

At all times material to this Indictment:

**INTRODUCTION**

1. AARON T. LUNEKE, the defendant, was the Chief Financial Officer of Bank of the Valley from on or about August 8, 2018 through on or about May 4, 2022.
2. Bank of the Valley, headquartered in Columbus, Nebraska, was a bank, the deposits of which were insured by the Federal Deposit Insurance Corporation (hereinafter "FDIC").
3. Stearns Bank, headquartered in St. Cloud, Minnesota, was a bank, the deposits of which were insured by the FDIC.
4. Living Waters RE, LLC is a registered limited liability company in the state of Nebraska. Living Waters RE, LLC was created with the purpose of building and operating a carwash in Columbus, Nebraska. Defendant, AARON T. LUNEKE, owns Living Waters RE, LLC with Individual 1.
5. Contractor 1 is a general contractor based in Columbus, Nebraska.
6. Electrician 1 is an electrician based in Blair, Nebraska.

**COUNT I**

7. Paragraphs 1 through 6 are realleged and incorporated herein.
8. On or about February 1, 2021 through on or about April 30, 2021, in the District of Nebraska and elsewhere, defendant, AARON T. LUNEKE, knowingly attempted to execute a material scheme and artifice to defraud Stearns Bank, a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation, by means of false and fraudulent pretenses and promises, in an attempt to obtain moneys, funds, or other property owned by, or under the custody or control of Stearns Bank, that is the defendant, AARON T. LUNEKE, attempted to utilize fraudulent and inflated invoices from Contractor 1 and Electrician 1 to increase the valuation of Living Waters RE, LLC to meet the requisite loan to value threshold and failed to report outstanding debts to family members in his loan application and communications with Stearns Bank for a \$3.5 million loan on behalf of Living Waters RE, LLC.

In violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT II**

9. Paragraphs 1 through 6 are realleged and incorporated herein.
10. On or about April 1, 2021 through on or about June 30, 2021, in the District of Nebraska and elsewhere, defendant, AARON T. LUNEKE, did knowingly execute and attempt to execute a material scheme and artifice to defraud Bank of the Valley, a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation, by means of false and fraudulent pretenses and promises, in an attempt to obtain moneys, funds, or other property owned by, or under the custody or control of Bank of the Valley, that is the defendant, AARON T. LUNEKE, utilized fraudulent and inflated invoices from Contractor 1 and Electrician 1 as a basis for Additional Construction Proceedings when applying for

interim financing for Living Waters RE, LLC in the form of two loans totaling \$4,320,000.00.

In violation of Title 18, United States Code, Sections 1344 and 2.

A TRUE BILL.

  
\_\_\_\_\_  
FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

  
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SEAN P. LYNCH, #25275  
Assistant U.S. Attorney